

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GEORGE L. MARSHALL,

Plaintiff,

v.

R.SUEY, et al.,

Defendants.

Case No. 2:12-cv-01710-LDG-PAL

ORDER

(Mtn to View Evidence – Dkt. #47)

This matter is before the court on Plaintiff George Marshall's Motion to View Video Evidence (Dkt. #47). No response to the Motion was filed, and the time for filing one has expired. The court has considered the Motion.

Marshall is a former prisoner proceeding in this civil rights action pro se and in forma pauperis. In addition to other constitutional claims, Marshall's Second Amended Complaint (Dkt. #32) alleges that Defendants deprived him of outdoor exercise and out-of-cell recreation during a twenty-five day period he was housed in the administrative segregation unit at Clark County Detention Center ("CCDC").¹ The Motion represents that Marshall served requests for production of documents on Defendants, and Defendants produced, inter alia, responsive video footage of the recreation yard for housing unit 5 E/F at CCDC for the dates Marshall requested. The Motion asserts that Nevada Department of Corrections ("NDOC") has a policy prohibiting inmates from receiving videos. Marshall represents he needs to view the video to show that during his time in segregation, he was not permitted to use the recreation yard on September 12 or 17, 2012, as Defendants claim in their Opposition (Dkt. #34) to Plaintiff's Motion for Partial


¹ After this case was filed, Plaintiff was incarcerated in High Desert State Prison. *See* Notice of Change of Address (Dkt. #3). He has since been released *See* Notice of Change of Address (Dkt. #57).

1 Summary Judgment (Dkt. #25). Marshall requests the court enter an order allowing him to
2 receive the video and provide him the means to view it. Plaintiff has attached an Inmate Request
3 Form dated June 3, 2014, in which the corrections staff responded that Marshall needs a court
4 order permitting him to do so.

5 Plaintiff is no longer incarcerated in NDOC custody and there is therefore no longer any
6 need for an order directed to NDOC. *See* Notice of Change of Address (Dkt. #57).
7 Accordingly,

8 **IT IS ORDERED** that Plaintiff's Motion to View Video Evidence (Dkt. #47) is
9 DENIED as MOOT.

10 Dated this 29th day of September, 2014.

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14 PEGGY A. ZEEN
UNITED STATES MAGISTRATE JUDGE
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